

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 3572 - SB 3408

February 15, 2012

SUMMARY OF BILL: Defines “private property rights” as exclusive authority to determine how private property is used; as the ability to make contracts to sell, rent, or give away all or part of the property; and as not having to accommodate or adhere to local sustainable development policies. The definition also prohibits state and local governments from exercising eminent domain for the sole purpose of reselling to a private interest in order to generate revenue. The definition further prohibits such governments from imposing directives, ordinances, fees, or fines regarding aesthetic landscaping, color, plant preservations, or open spaces, and from interfering with the interior or exterior aspects of private property. State and local governments are prohibited from requiring part of the property to be set aside for public use, from limiting the number of dwellings, from imposing zoning restrictions, and from limiting profitable agricultural activities by mandating and controlling what crops and livestock are grown.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – There is a potential fiscal impact to state and local government revenue and expenditures. Due to multiple unknown factors, the net fiscal impact for this bill cannot be quantified with reasonable certainty.

Assumption:

- The fiscal impact for this bill is dependent upon several unknown factors such as the interpretation by federal agencies regarding state compliance with federal regulations of certain programs and funds, the impact on eminent domain by state or local entities, and the impact to multiple local government programs and policies. Given the extent of unknown factors, the net fiscal impact for this bill cannot be quantified with reasonable certainty.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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/jdb